

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

In the Matter of )

Section 63.71 Application of )

Avaya Inc., successor-in-interest to )  
Expanets of North America LLC d/b/a/ )  
Integrated Systems Corporation )

For Authority to Discontinue the Provision of )  
Domestic Telecommunications Services. )

WC Docket No. 04-167

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APR 29 2004

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**APPLICATION TO DISCONTINUE SERVICE**

Avaya Inc., successor-in-interest to Expanets of North America LLC d/b/a/  
Integrated Systems Corporation ("Avaya"), by its undersigned counsel, hereby requests authority from the Federal Communications Commission ("Commission") pursuant to Section 214(a) of the Communications Act of 1934, as amended,<sup>1</sup> and Section 63.71 of the Commission's rules,<sup>2</sup> to discontinue provision of interstate domestic toll services. Avaya is non-dominant with respect to the service it seeks to discontinue and customers will continue to have numerous options to receive the service from alternative service providers. Therefore, neither the present nor future public interest, convenience and necessity will be adversely affected by approval of Avaya's application.<sup>3</sup>

<sup>1</sup> 47 U.S.C. § 214(a).

<sup>2</sup> 47 C.F.R. § 63.71(b).

<sup>3</sup> 47 U.S.C. § 214(a).

In support of its Application, and pursuant to Section 63.71 of the Commission's rules, Avaya submits the following information:

**I. Name and address of carrier**

Avaya Inc., successor-in-interest to  
Expanets of North America LLC d/b/a Integrated Systems Corporation  
125 South Dakota Avenue  
Suite 1100  
Sioux Falls, South Dakota 57104

**II. Date of planned service discontinuance**

Avaya anticipates discontinuing service as of June 5, 2004, or as soon thereafter as any necessary regulatory approvals are obtained.

**III. Geographic areas affected**

Customers affected by Avaya's discontinuance of service are located in the state of Oklahoma.

**IV. Description of the type of service affected**

Avaya provides resold interstate toll services to approximately 80 customers in Oklahoma. The market for such services is highly competitive, such that upon Avaya's discontinuance of service, residents of Oklahoma will have numerous other choices for receipt of those services.

**V. Notification requirements**

Avaya's customers were notified in writing of Avaya's plans to discontinue service by letter dated April 26, 2004. A copy of the customer notification letter is attached hereto as Exhibit A. In compliance with the Commission's rules, the customer notice identifies the services Avaya seeks to discontinue and delineates the procedures by which Avaya's customers can make any concerns about the discontinuance of service known to the

Commission.<sup>4</sup> In addition, concurrent with the filing of this Application with the Commission, Avaya will submit a copy of this Application to the Oklahoma Corporation Commission and the Governor of Oklahoma, as well as to the Special Assistant for Telecommunications for the Secretary of Defense.

#### **VI. Regulatory status**

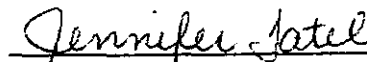
Avaya is regulated as a non-dominant carrier with respect to the service for which it seeks authorization to discontinue.

#### **VII. Conclusion**

For the foregoing reasons, Avaya respectfully requests, pursuant to Section 214(a) of the Communications Act of 1934, as amended, and Section 63.71 of the Commission's rules, that the Commission approve its application to discontinue the provision of interstate toll services to customers in Oklahoma.

Respectfully submitted,

Avaya Inc., successor-in-interest to  
Expanets of North America LLC d/b/a  
Integrated Systems Corporation



Mark D. Schneider

Jennifer Tatel

SIDLEY AUSTIN BROWN & WOOD LLP  
1501 K Street NW  
Washington, DC 20005  
(202) 736-8000

April 29, 2004

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<sup>4</sup> 47 C.F.R. § 63.71(a).

# **EXHIBIT A**



**NOTICE OF SERVICE DISCONTINUANCE**  
**DO NOT DISREGARD THIS NOTICE**

April 26, 2004

Dear Expanets of North America LLC d/b/a/ Integrated Systems Corporation and predecessor in interest to Avaya Inc. ("Expanets") Customer:

As of June 5, 2004, Expanets will discontinue offering and providing all resold intrastate toll services in the State of Oklahoma. Subject to regulatory approval, the anticipated date for the discontinuance of the services under your Expanets account is June 5, 2004.

You must select a new carrier as soon as possible to avoid any interruption of service because the new carrier may require time to install new service. To help avoid service disruption, choose carefully so that all intrastate toll services you currently have with Expanets are moved to your new carrier. After you choose your new provider, Expanets will use its best efforts to ensure a smooth transition of service.

The Federal Communications Commission ("FCC") permits customers to object to the discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the Sec. 63.71 Application of Avaya, Inc., successor-in-interest to Expanets of North America LLC d/b/a/ Integrated Systems Corporation. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.*

Expanets appreciates the opportunity we have had to serve you, and we are committed to your complete satisfaction during this transition period. If you have any questions regarding the planned discontinuance of your service, please contact us as 800-211-5410.

Sincerely,

AVAYA INC., as successor-in-interest to  
Expanets of North America LLC

Steve Seier  
VPGM Carrier Services Solutions Group

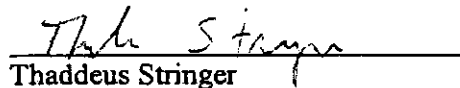
**CERTIFICATE OF SERVICE**

I, Thaddeus Stringer, hereby certify that the foregoing Section 63.71 Application of Avaya Inc., successor-in-interest to Expanets of North America LLC d/b/a/ Integrated Systems Corporation For Authority to Discontinue the Provision of Domestic Telecommunications Services was served on April 29, 2004 by first class mail, postage prepaid, on the following recipients:

Oklahoma Corporation Commission  
P.O. Box 52000  
Oklahoma City, OK 73152-2000

Office of Governor Brad Henry  
State Capitol Building  
2300 N. Lincoln Blvd., Room 212  
Oklahoma City, OK 73105

Secretary of Defense  
Attention: Special Assistant for Telecommunications  
Pentagon  
Washington, DC 20301

  
Thaddeus Stringer